

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

| | | |
|--------------------|---|----------------------------------|
| ALESIA WOOD, |) | CASE NO.: 5:06CV137 |
| |) | |
| Plaintiff, |) | JUDGE JOHN ADAMS |
| |) | |
| v. |) | <u>ORDER AND DECISION</u> |
| |) | |
| ALAN BYER, et al., |) | |
| |) | |
| Defendants. |) | |

This matter comes before the Court on Objections to the Magistrate Judge's Report and Recommendation by Plaintiff Alesia Wood. (Doc. #93) This Court referred the matter to Magistrate Judge George Limbert for a Report and Recommendation ("Report") on the numerous motions that were pending in this case. Defendants Laghetto, Warners, Blyer, Hannah, Mead, Tomcho, Haush, Dminick, Dominick, and Van Duser filed a Response to the Objections. Plaintiff, thereafter, filed Replies to the Objections. The Court has been advised, having review the pending motions, responses and replies thereto, Report, Objection, Responses and Replies, an applicable law. It is hereby determined that the Court ADOPTS the Magistrate's Report.

Under Fed. R. Civ. P. 72(b) Plaintiff was given 10 days after the Report was issued to file specific objections to it. Upon a review of the Objections, it is determined that Plaintiff has failed to make a specific objection to the Report but has merely reiterated the facts contained in the pleadings. Thus, it appears that she is making a general objection to the entire report. General objections to the entirety of a magistrate

judge's report have the same effect as a failure to object. *See Howard v. Secretary of Health and Human Servs.*, 932 F.2d 505, 509 (6th Cir.1991).

The Court, having conducted a *de novo* review of the pleadings, motions, Report, Objections, Responses and Replies thereto and applicable law, finds that the Report is well-taken and is thus ADOPTED IN WHOLE. The Court does the following:

1. GRANT the motion for summary judgment filed by Defendants Blyer, Hannah, Mead, Tomcho, Hush, T. Dominick, V. Dominick and Van Duser (Doc. #5);
2. SUA SPONTE GRANT summary judgment in favor of Defendant Myers for reasons stated in the Report;
3. GRANT Defendant Moran's motions to dismiss (Docs. #27 and 81);
4. GRANT Defendant Chenevey's motions to dismiss (Docs. #34 and 35);
5. DENY AS MOOT Defendant Chenevey's motion to dismiss on the basis of lack of subject matter jurisdiction (Doc. #70);
6. GRANT the motions to dismiss filed by Defendants Laghetto and Warner (Docs. #36 and 41);
7. DENY AS MOOT Defendant Warner's motion to dismiss pursuant to insufficiency of service (Doc. #56);
8. DENY AS MOOT Plaintiff's motion for default judgment against Defendant Warner (Doc. #58);
9. DENY Plaintiff's motion for directed verdict on summary judgment (Doc. #78);
10. DENY AS MOOT Defendant Moran's motion to strike Plaintiff's motion for a directed verdict on summary judgment (Doc. #82);

11. DENY AS MOOT all remaining discovery motions (Docs. #69 and 71).

Based on the above, it is hereby determined that this action is DISMISSED.

So ordered.

s/ Judge John R. Adams
JUDGE JOHN R. ADAMS
UNITED STATES DISTRICT COURT